EXHIBIT B

** C O N F I D E N T I A L **

** OUTSIDE ATTORNEYS' EYES ONLY **

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW JERSEY

CAMDEN VICINAGE

IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION	)	MDL NO. 2875
	)	HONORABLE ROBERT B. KUGLER, DISTRICT COURT JUDGE

** C O N F I D E N T I A L **

** OUTSIDE ATTORNEYS' EYES ONLY **

RULE 30 VIDEOTAPED DEPOSITION

PHILIP JAMES RUSS

THURSDAY, JANUARY 5, 2023

REPORTED BY: DAYNA HESTER, C.S.R. 9970

CONFIDENTIAL OUTSIDE ATTORNEYS' EYES ONLY VIDEOTAPED DEPOSITION OF PHILIP JAMES RUSS, TAKEN ON BEHALF OF DEFENDANTS, AT 9:20 A.M., THURSDAY, JANUARY 5, 2023, AT GREENBERG TRAURIG LLP, 1840 CENTURY PARK EAST, SUITE 1900, LOS ANGELES, CALIFORNIA, WITH MULTIPLE PARTICIPANTS APPEARING REMOTELY, BEFORE DAYNA HESTER, C.S.R. NO. 9970, PURSUANT TO NOTICE.

APPEARANCES OF COUNSEL:

FOR PLAINTIFF(S):

KANNER & WHITELEY, L.L.C.
BY: DAVID J. STANOCH, ESQ.
(PRESENT IN PERSON)
BY: CONLEE S. WHITELEY, ESQ.
(PRESENT VIA ZOOM VIDEOCONFERENCE)
701 CAMP STREET
NEW ORLEANS, LOUISIANA 70130
(504) 524-5777
D.STANOCH@KANNER-LAW.COM

-AND-

HONIK LLC
BY: RUBEN HONIK, ESQ.
(PRESENT VIA ZOOM VIDEOCONFERENCE)
1515 MARKET STREET, SUITE 1100
PHILADELPHIA, PENNSYLVANIA 19102
(267) 435-1300
RUBEN@HONIKLAW.COM

-AND-

MAZIE SLATER KATZ & FREEMAN, LLC
BY: CHRISTOPHER J. GEDDIS, ESQ.
(PRESENT VIA ZOOM VIDEOCONFERENCE)
103 EISENHOWER PARKWAY
ROSELAND, NEW JERSEY 07068
(973) 228-9898
CGEDDIS@MAZIESLATER.COM

audit reports if it's not necessary.

So would you -- during those audits of ZHP, would you expect the auditor to conduct the type of analysis that led Novartis to identify the NDMA substance in the Valsartan API?

A. No.

Q. Turning to your -- your report which -- if you have before you.

A. Uh-huh.

Q. At the top of Page 9 -- and this is a quotation, I believe, from the NDA guidance.

But you have quoted at the bottom of that quote [as read]:

> "The finished drug product manufacturer should also ensure that compendial-grade APIs comply with compendial specifications."

Do you see that?

A. Yeah. This is -- I do see that.

This is a statement from the questions and answers, I believe. This is not the guidance but Exhibit 10.

Q. Okay. So is it your understanding that the -- that the Valsartan produced by Teva complied with all the applicable compendial specifications?

MR. STANOCH: Objection.

THE WITNESS: The material -- there is a compendial monograph for Valsartan. Teva identifies their -- Valsartan as U.S. -- what is called "USP" or "United States Pharmacopeia" on the labeling. It would be incumbent upon them to assure compliance with the compendial specifications.

BY MS. LOCKARD:

Q. And you haven't seen any evidence in the documentation that Teva's product did not comply with the compendial specifications; right?

A. No. I don't have issue with Teva's compliance to compendial specifications for Valsartan they received.

MS. LOCKARD: So let's mark this as exhibit...

THE REPORTER: 16.

(Deposition Exhibit 16 was marked for identification and is attached hereto.)

BY MS. LOCKARD:

Q. All right. Is this -- what is this? Do you recognize this document?

A. [Witness reviews document].

Yeah. This is the USP-NF Online monograph for Valsartan drug substance.

chromatography -- I can't find a penny that I lost if I don't look for a penny that I lost.

Q. Okay. Well, I just want to make sure I understand your opinions.

A. No.

Q. There is nothing that Teva -- there is no evidence in Teva's records that there was an Out of Trend report that they failed to act on; right?

MR. STANOCH: Objection.

Go ahead.

THE WITNESS: What is -- what my concern is, is that there isn't anything in the record that shows that Teva evaluated chromatography for the drug substance they were receiving from ZHP.

BY MS. LOCKARD:

Q. I understand your concern being that, from your review, you don't feel that Teva did an adequate review of the chromatography.

But my question to you is, based on what is in the documentation, you found nothing to suggest Out of Trend results; right?

MR. STANOCH: Objection.

THE WITNESS: I didn't find an Out of Trend investigation around peaks in the chromatography, no.

///